

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-9 were pending in the application, of which Claim 1 is independent. In the Office Action dated June 12, 2006, Claims 1-9 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1-10 remain in this application, Claim 10 being added by this Amendment. Applicants hereby address the Examiner's rejections in turn.

I. Interview Summary

Applicants thank Examiner Lee for the courtesy of a telephone interview on July 24, 2006, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 103. During the interview, Applicants asserted that U.S. Patent No. 6,393,126 ("*van der Kaay*") in view of U.S. Patent No. 5,334,975 ("*Wachob*") in view of in view of U.S. Patent No. 6,154,488 ("*Hunt*") at least does not teach or suggest the subject matter claimed in the proposed claims presented during the interview. No agreement was made regarding patentability of the claims.

II. Rejection of the Claims Under 35 U.S.C. § 103(a)

Claims 1-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *van der Kaay* in view of *Wachob* in view of *Hunt*. Applicants respectfully traverse this rejection. Claim 1 has been amended to clarify its originally intended scope and to place it in better form for consideration. The amendment does not add new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “wherein the endpoint transceiver is configured to communicate with the substation controller over a first sub-sub-channel of a plurality of sub-sub-channels separated within a sub-channel on the power distribution line, each of the plurality of sub-sub-channels configured to be respectively assigned to different ones of a plurality of endpoint transceivers, each of the sub-sub-channel configured to have a predetermined bandwidth.”

In contrast, *van der Kaay* at least does not teach or suggest the aforementioned recitation from Claim 1. For example, *van der Kaay* merely discloses that a trusted local clock (TLC) 206 provides trusted time, in a trusted temporal token form, to an application 208 on request. (See col. 9, lines 31-33.) In *van der Kaay*, an endpoint transceiver configured to communicate over a sub-sub-channel separated within a sub-channel configured to have a predetermined bandwidth on a power distribution line is not disclosed.

Furthermore, *Wachob* does not overcome *van der Kaay*'s deficiencies. *Wachob* merely discloses that an addressable controller 12 encodes and formats time reference data into a global message format as part of an addressable data stream to a data modulator 14. (See col. 2, lines 12-14.) Like *van der Kaay*, *Wachob* at least does not teach or suggest an endpoint transceiver configured to communicate over a sub-sub-channel separated within a sub-channel configured to have a predetermined bandwidth on a power distribution line.

Moreover, *Hunt* does not overcome *van der Kaay's* and *Wachob's* deficiencies.

Hunt discloses control signals and general information signals sent to a particular customer device via a power distribution line 106 to control customer devices and provide more general information to the customer. (See col. 5, lines 26-30.) Like *van der Kaay and Wachob*, *Hunt* at least does not teach or suggest an endpoint transceiver configured to communicate over a sub-sub-channel separated within a sub-channel configured to have a predetermined bandwidth on a power distribution line.

Combining *van der Kaay* with *Wachob* and *Hunt* would not have led to the claimed invention because *van der Kaay*, *Wachob*, and *Hunt* either individually or in combination, at least do not disclose or suggest "wherein the endpoint transceiver is configured to communicate with the substation controller over a first sub-sub-channel of a plurality of sub-sub-channels separated within a sub-channel on the power distribution line, each of the plurality of sub-sub-channels configured to be respectively assigned to different ones of a plurality of endpoint transceivers, each of the sub-sub-channel configured to have a predetermined bandwidth," as recited by amended Claim 1. Accordingly, independent Claim 1 patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claim 1.

Dependent Claims 2-9 are also allowable at least for the reasons described above regarding independent Claim 1, and by virtue of their dependency upon independent Claim 1. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-9.

III. New Claims

Claim 10 has been added to more distinctly define and to round out the protection for the invention to which Applicants are entitled. Applicants respectfully submit that these claims are allowable over the cited art and that they add no new matter.

IV. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. Applicants note that there may be other reasons that the claims are patentably distinct from the cited references in addition to those raised herein and reserve the right to raise any such reason or related argument in the future. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

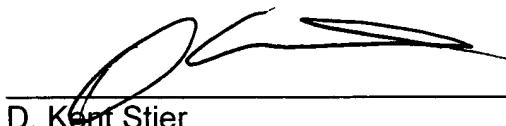
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725. Feel free to contact the undersigned attorney if there are any questions or if a telephone interview otherwise would be helpful in advancing this application to allowance.

Respectfully submitted,
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